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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 **FRISKIT, INC.,**

11 **Plaintiff,**

12 **v.**

13 **REALNETWORKS, INC., et al.,**

14 **Defendants.**
15 _____/

NO. C 03-05085 WWS

**ORDER DENYING APPEAL OF
MAGISTRATE JUDGE MARIA-
ELENA JAMES'S ORDER
GRANTING MOTION COMPEL
DEPOSITION OF ROBERT
GLASER**

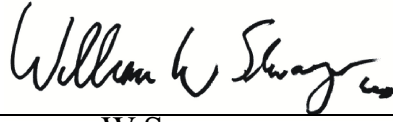
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18 Having reviewed defendants' appeal from the order of Magistrate Judge James granting
19 the motion to compel the deposition of Robert Glaser, as well as the order and counsel's joint
20 letter regarding the motion to compel, the Court finds and concludes that the order is not clearly
21 erroneous or contrary to law. Accordingly, the appeal is denied.

22 The Court further orders counsel to appear for a status conference on **Tuesday,**
23 **October 4, 2005 at 10:30 a.m. in Courtroom 14, at 450 Golden Gate Avenue, 18th Floor,**
24 **San Francisco, California.** Counsel are requested to submit by September 28, 2005, separate
25 status conference
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statements, not to exceed ten pages, describing the issues in controversy and the anticipated discovery and other proceedings.

IT IS SO ORDERED.

Dated: August 29, 2005



WILLIAM W SCHWARZER
SENIOR UNITED STATES DISTRICT JUDGE

United States District Court

For the Northern District of California